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October 10, 2023

via ECF

Honorable Sharon A. King, U.S.M.J.
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets, Courtroom 5C
Camden, New Jersey 08101

Re: **Christopher Leary v Egg Harbor Township Police Department, et al.**
Docket # 1:23-cv-04070 (JHR/SAK)

Dear Judge King:

The undersigned represents Defendants Jeffrey Lancaster, Reynold Theriault and Policemen's Benevolent Association Mainland Local 77 (pledged as "Mainland Local PBA 77") in the above referenced matter. We are in receipt of the Court's Order for Scheduling Conference filed on October 6, 2023 and setting the initial Rule 16 conference in this matter for October 31, 2023 at 12:00pm.

Per my conversation with a member of Your Honor's staff today, I write to advise the Court of the following. On October 5, 2023 we filed on behalf of the above Defendants a Rule 12(b)(6) motion to dismiss in lieu of answer for failure to state a claim. Additionally, no appearance has been entered yet for three Defendants, the State of New Jersey, the N.J. State Association of Chiefs of Police, and William Nally.

We therefore respectfully request that the Court advise if in light of the above there will be any adjustment to the dates in the Order and if the initial conference will move forward as scheduled. We will of course comply with the requirements of the Order and attend the Conference as scheduled as the Court requires. We thank the Court for its attention and courtesies.

Respectfully submitted,
Sciarra & Catrambone, L.L.C.

By: /s/ Jeffrey D. Catrambone

Jeffrey D. Catrambone (JC 2870)

JDC/j

cc: all counsel of record (*via ECF*)